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# FACSIMILE COVER SHEET

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Deliver to: Duc Chi Ho, USPTO

Art Group: 2665

**Facsimile No.: 703 872-9314**

Date: September 11, 2003

From: James Henry, Reg. No. 41,064

**Our Docket No.: 81862P125**

Number of pages 16 including this sheet.

Application No.: 09/322,708

**Filing Date:** 5/28/1999

**Docket Due Date(s):** 9/18/2003

**Enclosed are the following documents:**

- ☒ Amendment: Response

☐ Appeal Brief (in triplicate) ( \_\_\_\_ pgs)

☐ Application: \_\_\_\_\_  
( \_\_\_\_ pgs) w/cover & abstract

☐ Assignment & Cover Sheet ( \_\_\_\_ pgs)

☒ Certificate of Facsimile

☐ Continued Prosecution Application (CPA)

☐ Declaration & POA ( \_\_\_\_ pgs)

☒ Drawings: 1 sheets, 1 figures

☐ Extension of Time: \_\_\_\_\_

☒ Fee Transmittal (in duplicate)

☐ IDS & PTO/SB/08 ( \_\_\_\_ pgs)

☐ Other \_\_\_\_\_

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for: \_\_\_\_\_

☐ Request for Continued Examination (RCE)

☐ Reply Brief ( \_\_\_\_ pgs)

☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)

☐ Request to Rescind Previous Nonpublication Request

☐ Response to Notice of Missing Parts & Formalities Letter

☐ Response to Written Opinion ( \_\_\_\_ pgs)

☐ Terminal Disclaimer

☐ Transmittal of Publication Fee Due

☒ Transmittal Letter

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*I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.*

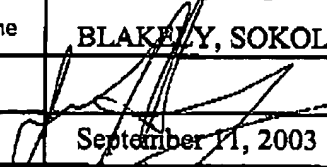
Pat Sullivan 09/11/2003  
Pat Sullivan Date

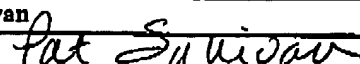
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/322,708
		Filing Date	May 28, 1999
		First Named Inventor	Kirk D. Sanders
		Group Art Unit	2665
		Examiner Name	Duc Chi Ho
Total Number of Pages in This Submission	16	Attorney Docket Number	81862P125

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Facsimile Transmittal Sheet</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James Henry, Reg. No. 41,064 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	September 11, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
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Typed or printed name	Pat Sullivan	Date	September 11, 2003
Signature		Date	September 11, 2003

Based on PTO/SB/21 (03-03) as modified by Blakely, Sokoloff, Taylor & Zafman (M1) 08/11/2003.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

0.00

## Complete If Known

Application Number	09/322,708
Filing Date	May 28, 1999
First Named Inventor	Kirk D. Sanders
Examiner Name	Duc Chi Ho
Group/Art Unit	2665
Attorney Docket No.	81862P125

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

## 2. EXTRA CLAIM FEES

Total Claims	37	37* =	0	X	18.00	=	60.00
Independent Claims	8	8* =	0	X	84.00	=	60.00
Multiple Dependent							

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claims, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

\*or number previously paid, if greater. For Reissues, see below

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	30	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or release)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Name (Print/Type) James Henry

Registration No. (Attorney/Agent)

41,064

## Complete (if applicable)

Telephone

(714) 557-3800

Signature

Date

09/11/03

Based on PTO/BB/17 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 08/11/2003.  
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P. 5

10C  
9-17-03  
mg

Appl. No. 09/322,708  
Amdt. dated September 11, 2003  
Reply to Office Action of June 13, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/322,708  
Applicant : Kirk Dow Sanders  
Filed : May 28, 1999  
TC/A.U. : 2665  
Examiner : Duc Chi Ho

Confirmation No. 8389

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Docket No. : 81862.P125  
Customer No. : 8791

Commissioner for Patents  
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**OFFICIAL**

**AMENDMENT**

Sir:

In response to the Office action of June 13, 2003, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Amendments to the Drawings** begin on page 9 of this paper and include an attached replacement sheet.

**Remarks/Arguments** begin on page 10 of this paper.

**An Appendix** including amended drawing figures is attached following page 11 of this paper.